

# **The Shinfield Parish Council Neighbourhood Development Plan**

## **Report of Examination**

**Report to Wokingham Borough Council**

by the Independent Examiner:

John Parmiter FRICS FRSA MRTPI



30 June 2016

<b>Contents</b>	<b>page</b>
Summary	2
1. Introduction	3
2. The Neighbourhood Plan's preparation and public consultation	5
3. The Neighbourhood Plan in its planning and local context	6
4. Neighbourhood Plan - Overview	9
5. Policy 1: Location of development	9
6. Policy 2: General design principles	10
7. Policy 3: Sustainable development	11
8. Policy 4: Accessibility and highway safety	11
9. Policy 5: Parking	12
10. Natural and historic environment polices	12
11. Community and recreation polices	13
12. Business and commercial development polices	13
13. Conclusions and recommendations	14
Appendices	15
Annexe	17

## **Summary**

1. From my examination of the submitted Shinfield Parish Council Draft Neighbourhood Development Plan and its supporting documents, including all the representations made, I have concluded that making of the plan will, subject to the modifications I am recommending, meet the Basic Conditions and legal requirements.
2. In summary, I conclude that the Plan, once modified, will meet the Basic Conditions, which are that it must:
  - Be appropriate to make the plan, having regard to national policies and advice;
  - Contribute to the achievement of sustainable development;
  - Be in general conformity with the strategic policies of the development plan; and
  - Not breach, and be otherwise compatible with, European Union and European Convention on Human Rights obligations.
3. I have also concluded that:
  - It has been prepared and submitted for examination by a qualifying body - Shinfield Parish Council;
  - It has been prepared for an area properly designated; and does not cover more than one neighbourhood plan area;
  - It does not relate to “excluded development”;
  - It specifies the period to which it has effect – from 2015 to 2026; and
  - The policies do relate to the development and use of land.
4. I consequently recommend that the Neighbourhood Development Plan should proceed to a Referendum.
5. If the plan does go forward to Referendum, I recommend that the Referendum Area should be the same as the civil parish area.

## **1. Introduction**

- 1.1 I am appointed by Wokingham Borough Council, with the support of Shinfield Parish Council, the Qualifying Body, to undertake an independent examination of the Shinfield Parish Council Neighbourhood Development Plan as submitted for examination.
- 1.2 I am a planning and development professional of 40 years standing and a member of NPIERS' Panel of Independent Examiners. I am independent of any local connections and have no conflicts of interests.

### **The Scope of the Examination**

- 1.3 It is the role of the Independent Examiner to consider whether making the plan meets the "Basic Conditions." These are that in making the Neighbourhood Development Plan it must:
  - be appropriate to do so, having regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan (see Development Plan, below) for the area; and
  - not breach, and must be otherwise compatible with, European Union (EU) and European Convention on Human Rights (ECHR) obligations.
- 1.4 Regulations also require that the Neighbourhood Plan should not be likely to have a significant effect on a European Site or a European Offshore Marine Site either alone or in combination with other plans or projects.
- 1.5 In examining the Plan I am also required to establish whether, in summary, they:
  - Have been prepared and submitted for examination by a qualifying body;
  - Have been prepared for an area that has been properly designated
  - Meet the requirements that they must not include excluded development
  - Must not relate to more than one Neighbourhood Area; and
  - Relate to the development and use of land.
- 1.6 Finally, as independent Examiner, I must make one of the following recommendations in relation to the Plan proceeding to a Referendum:
  - a) that it should proceed to Referendum, on the basis that it meets all legal requirements;
  - b) that, once modified to meet all relevant legal requirements, it should proceed to Referendum; or
  - c) that it should not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

1.7 If recommending that the Plan should go forward to Referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Area to which the Plan relates.

### **The Examination process**

1.8 I was appointed to examine the plan on 19th May 2016. The default position is that neighbourhood plan examinations are conducted by written representations. That is the basis of this examination. Nevertheless, in this case, I decided that I needed clarification of one Policy 1 and so held a conference call with the Borough and Parish Councils on 9th June 2016. I carried out an unaccompanied site visit on 17th June 2016.

### **The Examination documents**

1.9 In addition to the legal and national policy framework and guidance (principally The Town and Country Planning Acts, Localism Act, Neighbourhood Plans Regulations, the National Planning Policy Framework and the Planning Policy Guidance) together with the development plan, the relevant documents that were furnished to me, and were identified on the Councils' websites as the neighbourhood plan and its supporting documentation for examination, were:

- Draft Neighbourhood Development Plan (with its extensive appendices, A-AD)
- Basic Conditions Statement; and
- Consultation Statement.

1.10 In addition I was furnished with a copy of the development plan Proposals Map.

### **The Qualifying Body and the Designated Area**

1.11 Shinfield Parish Council is the Qualifying Body for the designated area that is the neighbourhood plan area. Wokingham Borough Council, the local authority, designated the Neighbourhood Area in October 2012. There is no other neighbourhood plan for this area.

### **The Neighbourhood Plan Area**

1.12 The neighbourhood plan area covers some 1813 ha in central Berkshire, south of Reading, made up of many villages and small settlements that are mostly located south of the M4 motorway, which the plan area straddles. The more significant settlements include Spencers Wood, Shinfield and Three Mile Cross. Smaller communities include Ryeish Green, Grazeley, Mereoak, Great Lea, Hartley Court and Pound Green.

1.13 The parish population has grown significantly in recent years, increasing by 37% to 11,198 in the period 2001-2011, in 4,403 households. The plan area includes some significant local employers as well as local services and social/community facilities.

1.14 The plan explains that the parish area south of the M4 is one of Wokingham Borough Council's four strategic development locations (SDL), which include plans for more than 2,500 extra homes with supporting infrastructure. Plans also include development of Reading Thames Valley Science Park.

## **2. Neighbourhood Plan's preparation and public consultation**

### **The Neighbourhood Development Plan**

- 2.1 The Neighbourhood Development Plan (NDP) grew out of earlier work on a Parish Community Plan (2011) and Village Character and Design Statements; the latter for Shinfield School Green, Ryeish Green, Spencers Wood and Three Mile Cross. The parish first considered preparing a plan in early 2012. The plan explains that:

*"Shinfield Parish Council believes that, by preparing a Neighbourhood Development Plan, it can play a much bigger role going forward in helping shape new development. The Parish Council can have greater influence in obtaining the additional infrastructure improvements that we consider are needed to allow the parish to accommodate additional homes and continue to make this a desirable place to live"* (plan para 1.2).

- 2.2 The development plan – see later – as well as relevant SPDs together with those major schemes that have been consented provide the basis for the area's transformation. The neighbourhood plan does not allocate any land for development nor designate any sites (for Local Green Space for example). It therefore has a very limited role in shaping the ongoing changes the parish is experiencing and will see come forward.
- 2.3 The Parish submitted its application to undertake a neighbourhood plan on 20 June 2012 and set up a Steering Group, who began carrying out a number of public consultations starting in July 2012, seeking the views of local residents, businesses and other stakeholders. Six focus groups were initially established to look at sets of identified topics or issues – latter reduced to four. The culmination of much work was a "19 Question Survey" produced in the summer of 2013 which asked for resident and stakeholder views on key issues identified by the groups.
- 2.4 Over 700 responses were received highlighting the main areas of community concern. During the plan's preparation, over sixty meetings were held and extensive survey work undertaken. The plan's preparation was supported by a website, regular newsletters, local publicity and meetings. The Parish Council monitored progress at its regular meetings. The level of community consultation and involvement is set out in the Consultation Statement.
- 2.5 The Borough Council assisted the parish in formulating policies, as did some funded external expertise; a health check also helped. The Consultation Statement at appendix 15 sets out the parish council's response to the Regulation 14 published draft plan: A total of 11 groups or statutory consultees plus 87 local residents responded.
- 2.6 The plan's vision is straightforward: "People working together, respecting our local history, building a vibrant community now and for the future" (plan para 5.1). This is supported by three sets of broad objectives (set out at plan para 5.2).
- 2.7 The draft NDP was submitted to the Borough Council under Regulation 16 in March 2016 and a six week period for public consultation took place between 4<sup>th</sup> April and 16<sup>th</sup> May 2016. A total of 12 representations were received (allowing for multiple responses from the same party). Substantive responses came from: Shinfield Consortium (Bloor, Bovis and Linden Homes); South of the M4 Consortium (University of Reading, Taylor Wimpey, and David Wilson Homes); Gladman; Historic

England; JM Edwards; Thames Water; Swallowfield Parish Council; Thames Valley Police and Bewley Homes.

- 2.8 The Borough Council did not make any direct representations but assisted the Parish Council in the various stages of the plan's preparation. The Borough Council also confirm that they consider the neighbourhood plan generally conforms to the strategic policies of the development plan.

### **Environmental Assessment and EU Directives**

- 2.9 Under Article 3(3) and 3(4) of the Strategic Environmental Assessment (SEA) Directive 2001/42/EC a SEA is required of plans and programmes which "determine the use of small areas at a local level". The Borough Council is the "responsible authority" and must determine whether the plan is likely to have significant environmental effects. The Borough Council produced a Final Determination Statement following consultation ending on 15<sup>th</sup> June 2015, that the plan would not require a Strategic Environmental Assessment, as the neighbourhood plan did not allocate any sites for development.

### **European Sites and the Habitats Directive**

- 2.10 I note from Appendix v of the Final Determination Statement that the Borough Council did not consider an Appropriate Assessment specifically necessary for the plan given the plan does not allocate any new sites

### **Human Rights and European Obligations**

- 2.11 I have no reason to believe that making the plan or the orders would breach or is incompatible with the European Convention on Human Rights.

### **Plan period**

- 2.12 The neighbourhood plan states clearly, at para 1.3, that the plan covers the period to 2026, which is co-terminus with the plan period of the Core Strategy, adopted January 2010.

### **Excluded development**

- 2.13 A neighbourhood plan cannot include policies for excluded development, such as minerals and waste. I have concluded that the plan does not include excluded development.

## **3. The draft Neighbourhood Plan in its planning and local context**

### **National policies and advice**

- 3.1 The neighbourhood development plan (NDP) must have regard to national policies and advice contained in guidance issued by the Secretary of State and contribute to the achievement of sustainable development (the first two Basic Conditions). Paragraph 16 of the National Planning Policy Framework (the Framework) is concerned with neighbourhood planning:

*"The application of the presumption [in favour of sustainable development] will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:*

- *"develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; [and]*
- *plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan,"*

3.2 The NDP must give sufficient clarity to enable a policy to do the development management job it is intended to do; or to have due regard to National Planning Policy Guidance (NPPG). For example, para 042 of the NPPG explains that:

*"A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared."*

3.3 Also, there has to be evidence to support particular policies, notwithstanding it may express a strong and well-intentioned aspiration or concern of the local community. The NPPG (recently revised Para 040 ref 41-040-20160211) states:

*"While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.*

*A local planning authority should share relevant evidence, including that gathered to support its own plan making, with a qualifying body .....*

*Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.*

*In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making".*

3.4 The latter references to housing need were added before the submission of the plan and so I had asked the Borough and Parish Councils to advise me on the latest position, which I cover later in my report, at 3.10.

3.5 The Basic Conditions Statement sets out how the Parish Council considers that the plan has appropriate regard to national policy and meets the relevant Framework policies. This document is rather thin and does little more than make assertions. The evidence for the NDP is mainly in the plan's appendices.

3.6 The main issue for me is its relationship to the development plan and whether it promotes sustainable development; and if it does, whether it is sufficiently flexible?

## The Development Plan - strategic policies

- 3.7 The neighbourhood development plan must be in general conformity with the strategic policies of the development plan for the area, which is the Wokingham Borough Core Strategy, adopted in January 2010 and the Managing Development Delivery DPD, adopted in February 2014.
- 3.8 The Borough Council did not supply for me a list of those polices it considered to be strategic. However, they subsequently confirmed to me that they considered that *all* polices in the development plan are strategic. Para 41-075 of the NPPG (referring to para 156 of the Framework, which sets out the strategic matters expected to be included in a Local Plan) explains that “[*The basic condition*] does not presume that every policy in a Local Plan is strategic or that the only policies that are strategic are labeled as such”. Para 41-076 goes on to give me “useful considerations” on reaching a view on whether a policy is strategic, listing seven examples. I am not persuaded, in this instance, that every policy can be said to have these characteristics.
- 3.9 Nevertheless, I am particularly guided by certain strategic policies that are of particular significance for the neighbourhood plan area, including<sup>1</sup>:
- CP9 Scale and location of development proposals
  - CP11 Proposals outside Development Limits (Including countryside)
  - CP17 Housing delivery (though the targets are based on the former South East Plan)
  - CP19 South of the M4 Strategic Development Location.
- In addition:
- Policy CC02 of the Managing Development Delivery DPD sets out the Development Limits of each settlement, as well as the areas allocated as Strategic Development Locations (SDLs) by reference to the Proposals Map.
- 3.10 The Borough and Parish Councils were able to update me on the current position on housing need and supply, in response to the recent changes to the Guidance with a joint statement:

*“Shinfield Parish Council’s Neighbourhood Plan was published on 28<sup>th</sup> January 2016. Shinfield Parish Council acknowledges that in February 2016, Wokingham Borough Council along with the five other Berkshire authorities (Bracknell Forest, Slough, the Royal Borough of Windsor and Maidenhead, West Berkshire and Reading) published an updated Strategic Housing Market Assessment (SHMA) which included an updated Objectively Assessed Need (OAN) figure. Shinfield Parish Council is aware that the housing need figure for Wokingham Borough is 856 homes per annum until 2036.*

*The policies contained within the Shinfield Neighbourhood Plan have been prepared in general conformity with Wokingham Borough Council’s Core Strategy (2010) and*

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<sup>1</sup> Taken together with those developments with planning permission, this implies over 3000 new homes being built in the plan area by 2026 – see NDP para 8.4

*the Managing Development Delivery Document (2014). Shinfield Parish Council acknowledges that Wokingham Borough Council is currently preparing a Local Plan Update, and this will include a new housing requirement, which the OAN will inform. Policy 1 (Location of Development) of the Shinfield Neighbourhood Plan refers to ‘a future adopted development plan’ for this reason.*

*The Shinfield Neighbourhood Plan does not allocate sites for development nor does it identify a housing requirement figure for Shinfield Parish. It is therefore considered that the OAN figure identified in the February 2016 SHMA would not have any implication on the policies contained within the Shinfield Neighbourhood Plan, including Policy 1: Location of Development. “*

## **4. Neighbourhood Plan - Overview**

- 4.1 The NDP is highly constrained by the development plan’s polices, its allocations of strategic development locations in the area and the fact that much of the strategic developments already have planning permission. It therefore seeks to focus on two main things: retaining the boundaries, and identities of, the separate villages; and an emphasis on high quality design that respects the local landscape quality. But even in trying to achieve these aims it seems to me that it has difficulty in bringing together a set of polices that are particular to the parish, or are additional to, rather than a gloss on, the established planning regime.
- 4.2 The NDP would benefit from a clear map setting the scene as determined by the development plan, supplementary guidance and the major planning permissions, given the significance of these as a backdrop to the plan. I therefore asked the two Councils to liaise and prepare a suitable plan: Fig. 1 is attached at Appendix 1.
- 4.3 **I recommend** that Fig 1 be incorporated into the neighbourhood plan, with a suitable cross-reference paragraph in the introductory text, say at the end of NDP chapter 9.
- 4.4 The plan contains 12 policy sections, the most significant of which is that dealing with the location of development. I now turn to examine those polices and make, where appropriate, recommended modifications or deletions.

## **5. Policy 1: Location of Development**

- 5.1 This policy is divided in to two parts: The first deals with development within the Development Limits (as defined in Policy CC02), see 3.8 earlier; the second deals with development adjoining those limits. It is essential that the limits be defined so that the policy can be understood and applied with clarity. Simply making reference to CC02, which in turn makes reference to the Proposals Map, with all its complex notations in this area, is not sufficiently precise, in my view, involving as it does a detailed task of checking which could lead to errors by users of the plan. I myself found it a tricky exercise.
- 5.2 I therefore asked the Borough and Parish Councils to make up a suitable plan that could accompany the policy. This is Fig 2, appended to my report at Appendix 2. **I recommend** that Fig 2 be included in the final neighbourhood plan, alongside (and cross-referenced in) Policy 1.
- 5.3 The first part of the policy essentially attempts to constrain or finesse development plan policy CC02 but without, in my view, sufficient justification. A number of representations were made against this policy, particularly by the two consortia and

Gladman. A consistent concern was that the policy was insufficiently flexible. While a part of the argument was related to meeting emerging increases in housing need, rather than the development plan, the concerns in relation to retaining sufficient flexibility to accommodate sustainable development are, in my view, valid.

- 5.4 The second part of the policy seeks to limit any development to a range of constraints or requirements: small scale (5 dwellings or less), not cumulative, 100% affordable, exceptional quality, highly sustainable and innovative, truly outstanding, highest standards in architecture, significantly enhancing its immediate setting and sensitive to the defining characteristics of the local area. Leaving aside that many of these characteristics are about design, not location (and should therefore be more properly located with Policy 2) there is simply no robust or proportionate evidence to support the approach which limits development to small scale affordable housing.
- 5.5 **I recommend** that the whole of the second part of Policy 1 – from “Small scale....” [including all 1 and 2] to “... the local area” – be deleted. The means of controlling development adjacent to the Development Limits is already part of Policy CC02 and in any event can be achieved more simply in a way that does not undermine a strategic policy and does promote sustainable development. Those design elements that are justified can be incorporated in Policy 2.
- 5.6 Therefore, taking the two parts of my conclusions together, **I recommend** that Policy 1 be modified to read:

“Development within the Development Limits (as illustrated on Fig 2) will be supported; development adjacent to the Development Limits will only be supported where the benefits of the development outweigh its adverse impacts.”

## **6. Policy 2: General Design Principles**

- 6.1 The draft neighbourhood plan is focused on achieving good use of space, good quality design and appropriately detailed specification in new development, whether residential or commercial. It does this by promoting a whole series of criteria; while also drawing in the Village Character or Design Statements into the body of the policy.
- 6.2 The policy was generally supported though the degree of prescription – contrary to Framework paras 59 and 60 - is a concern, to some degree, as was the raising the status of the Village Character or Design Statements to within the body of the policy (Historic England felt it should support implementation). Thames Valley Police pointed out the need for creating safe environments. I agree with all these concerns and **recommend** that Policy 2 be modified to read:

“In new residential developments, provision of an appropriate mix of size, built form and garden size, including style, design and character, will be supported in order to provide variation within a scheme, as long as this respects local distinctiveness and creates safe and sustainable environments. This can be achieved through the use of locally distinctive materials, differing layouts and positioning of dwellings, and the retention of existing trees, and provision of new trees, within new gardens and public realm.

Development proposals shall demonstrate how they have taken into account the following:

[list 1-7]

Add 8: Relevant adopted Village Character or Design Statement.

Add 9: Designing out opportunities for crime and anti-social behavior.

Delete subsequent paragraph: "In new residential developments ....).

Retain final paragraph: "Developments designed to aid ....".

## **7. Policy 3: Sustainable Development**

- 7.1 The aim of this policy is to secure the highest standards of sustainability within new developments. It does this by reference to strategic policy (which it doesn't need to do, as its already part of the development plan) and by encouraging a range of technologies and techniques. An additional limb of the policy required all developments to ensure there is adequate network capacity for all necessary utilities.
- 7.2 The policy attracted little attention, though Gladman felt it was unnecessary, given the existence of policy and standards (e.g. Building Regulations) elsewhere. Thames Water supported the policy, especially the last limb (network capacity) but considered it could be strengthened by a cross-reference to Core Strategy Policy CP4 and adding a criteria related to avoiding amenity impacts on existing users. In my view that is not necessary, given the Core Strategy and the scope and clarity of the policy. Overall, I consider the policy meets the Basic Conditions.

## **8. Policy 4: Accessibility and Highways Safety**

- 8.1 A significant issue for the local community is the level of traffic congestion across the plan area, both currently and anticipated. This comes across strongly in the consultation responses. The area has high levels of car ownership and a pattern of car dependence; though there seems to be evidence of increased use of improved public transport services. Residents have campaigned for more consistent speed limits on roads that are more suited to a collection of rural villages.
- 8.2 Policy 4 seeks to engage developers with the parish council and to secure, through various criteria, appropriate levels of accessibility and highway safety. This includes by reducing traffic speeds and maximizing use of public transport.
- 8.3 The policy attracted representations from a few parties, including the two consortia, who focused on one criteria that was considered to be outside the scope of land-use policy. The consortia sought the deletion of the 4<sup>th</sup> bullet under item 2, concerning bus fares, as not being a matter in the control of developers. Swallowfield Parish Council sought a more integrated approach to public transport provision taking into account impacts beyond the plan (i.e. Shinfield Parish) boundaries.
- 8.4 I agree with the consortia; I therefore **recommend** that the 4<sup>th</sup> bullet of limb 2 of Policy 4 be deleted, as it is a legal requirement that the plan must only relate to the use and development of land. I also consider that the opening sentence of the policy is not concerned with land use; rather it advocates a process. I **recommend** that the opening sentence of Policy 4 be deleted and moved to the supporting text.
- 8.5 The points made by Swallowfield Parish Council would foster a more sustainable pattern of development. I don't consider the policy needs to be modified to achieve

this but I **recommend** that in para 13.9 the words “and neighbouring parishes” be added after “Wokingham Borough Council.”

## **9. Policy 5: Parking**

- 9.1 The plan’s policy approach is much influenced by the experience of developments built under earlier parking standards, which sought to encourage modal shift away from dependence on the car. The surveys the parish have carried out show that in the past all too often this resulted in under-provision and so cars parked on highways, sometimes obstructing buses and service vehicles, and/or resulted in unsatisfactory housing areas and environments; also that garages were under-used, being either too small or utilised for storage. The Parish support the Borough standards introduced in 2014.
- 9.2 The policy requirements, therefore, are very focused on detailed means of achieving garages that can accommodate modern cars, improving parking relationships to homes and to ensure that the parking implications of subdivisions and conversions including Housing in Multiple Occupation (HMOs) are taken into account. There are 13 limbs to the policy, with limbs 8-13 focused on HMO conversions and the need for parking surveys to support applications.
- 9.3 The consortia generally supported the overall approach but found some of the detail either too prescriptive (use of Conservation Kerbs) or not capable of being enforced by a developer (e.g. on-street parking management). They also had practical suggestions for provision of on-plot parking which would improve the operation of the policy. For my own part, I regard limbs 8 and 9 of the policy as more appropriately set in the supporting text and **recommend** that they be deleted from the policy and moved to the supporting text, as new paras 14.6 and 7.
- 9.4 I agree with the consortia representations made and therefore **recommend** that Policy 5 be modified by adopting all the suggested amendments in paras 11-14 of Abley Lechford’s Technical Note of 16<sup>th</sup> May, which accompanied the two consortia representations.

## **10. Natural and historic environment policies**

- 10.1 Section 15 of the NDP deals with the environmental and cultural heritage of the parish. The plan responds to local concerns about the impact of infill developments in recent years on the countryside and open spaces as well as the threat from the large-scale developments to merge the three main settlements into a single town. This section contains three policies designed to protect key features from the adverse effects of new development: trees, hedgerows and woodlands; on biodiversity; and in relation to flooding.

### ***Policy 6: Trees, hedgerows and woodlands***

- 10.2 This policy seeks to protect these features through, inter alia, buffer zones. The approach attracted a number of representations, particularly from the consortia, and Gladman, which focused on the lack of justification for the width of zones. The Parish had relied on the advice of the Wokingham BC Countryside Officer, who had regard to recent practice in the Borough. The consortia representations point out that whilst there is neither research nor policy to justify a 15m buffer to hedgerows, as per the draft policy, there is nonetheless an environmental benefit to retaining hedgerows

within green corridors. They also point out that there is no justification to extending buffer zones to Local Wildlife Sites.

- 10.3 The Consortia suggest a number of drafting amendments to achieve this. I agree with these amendments and accordingly I **recommend** that limbs 1,3 and 4 of the policy be modified in terms set out on page 5 of Ecological Planning & Research Ltd's Note supporting both consortia representations. In relation to limb 2, I accept the representations detailed in Forbes Laird Arboricultural Consultancy's note regarding Veteran Trees, which points out that the buffer zone is neither justified nor consistent with approved parameter plans and I **recommend** that this limb be deleted. Swallowfield Parish has a number of detailed suggestions, some of which have been already taken on board, while the others are not necessary, in my view, to meet the Basic Conditions.

### **Policy 7: Biodiversity**

- 10.4 The policy, which supports development where it meets four criteria, is generally supported. Swallowfield Parish had some practical suggestions, setting out their justification, to improve the clarity of the policy:
- In limb 2 to extend the listed range of biodiversity enhancements to include hibernacular and “bug hotels”. I **recommend** these be added to the policy.
  - In limb 3 to clarify that “wildlife corridor” includes terrestrial, aquatic and aerial corridors. I **recommend** that a footnote be added to make this clear.

### **Policy 8: Flooding**

- 10.5 The policy has no introduction, simply a set of 4 statements. The consortia representations sought to amend aspects of the policy where the drafting was insufficiently justified. I agree with the reasoning in Abley Letchford Partnership's Technical Note of 16 May 2016 for the Shinfield Consortium and I **recommend** the policy be modified as set out in their paras 15-17.

## **11. Community and recreation policies**

- 11.1 There are two policies, seeking to protect community assets (Policy 9) and community and sports facilities (Policy 10). There were no representations. However, to achieve an appropriate degree of clarity I **recommend** that in Policy 10:
- in limb (1) the words in the first and second lines “through the Community Infrastructure Levy or negotiated S106 agreements” be deleted;
  - the words “on-site, or off-site” be added in the third line after “through the provision of”; and
  - limb (2) be deleted, as it is not a land use policy and be moved to the supporting text.

## **12. Business and commercial development**

- 12.1 The parish has a mixture of mainly small business and commercial organisations and a few large employers such as Foster Wheeler; the proposed Science Park will add significantly to local employment opportunities. This section of the plan contains two policies designed to support new employment development (Policy 11) and improvements to broadband connections (Policy 12). There were no representations. To improve clarity I **recommend** that in the opening line of Policy 11 the word “commercial” be replaced by “employment”.

### **13. Conclusions and recommendations**

- 13.1 I can see that the Parish Council and its volunteers have put in much hard work in the production of the examination version of the plan and the supporting documents. The plan seeks to represent the local community's aspirations and this it does reasonably well.
- 13.2 From my examination of the submitted Shinfield Parish Council Neighbourhood Development Plan, together with all supporting documents, including having regard to all the representations made, I have concluded that the making of the plan will – subject to the modifications I am recommending - meet the Basic Conditions and the legal requirements. I have set out my reasons, drawn from the findings in my report, in the Summary on page 2. In summary, I recommend that the Neighbourhood Development Plan should proceed to Referendum, once modified.
- 13.3 I have considered whether the referendum area should extend beyond the plan boundary, given the particular geography of the parish, being contiguous with the urban area of Reading in particular. I have consulted both Parish and Borough Councils and they advise that it should not. I have concluded that the policies of the plan would not have a material impact on residents or other interests beyond the plan area and I therefore conclude that if the plan does proceed to referendum then the referendum area should be the same as the civil parish area.
- 13.4 Finally, my thanks to both Parish and Borough Councils for their support in making the examination so smooth.

John Parmiter FRICS FRSA MRTPI

Independent Examiner

Director, John Parmiter Ltd

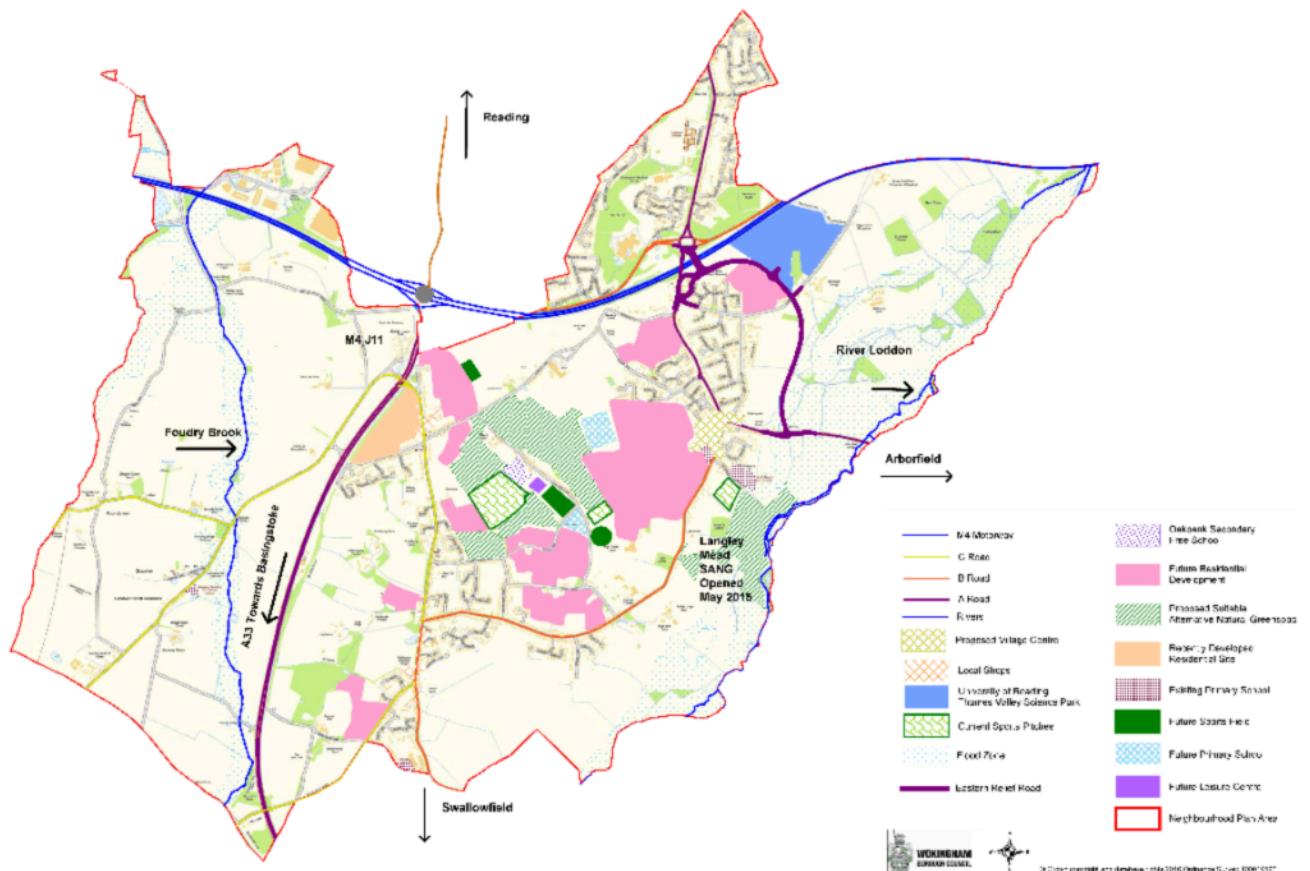
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30 June 2016

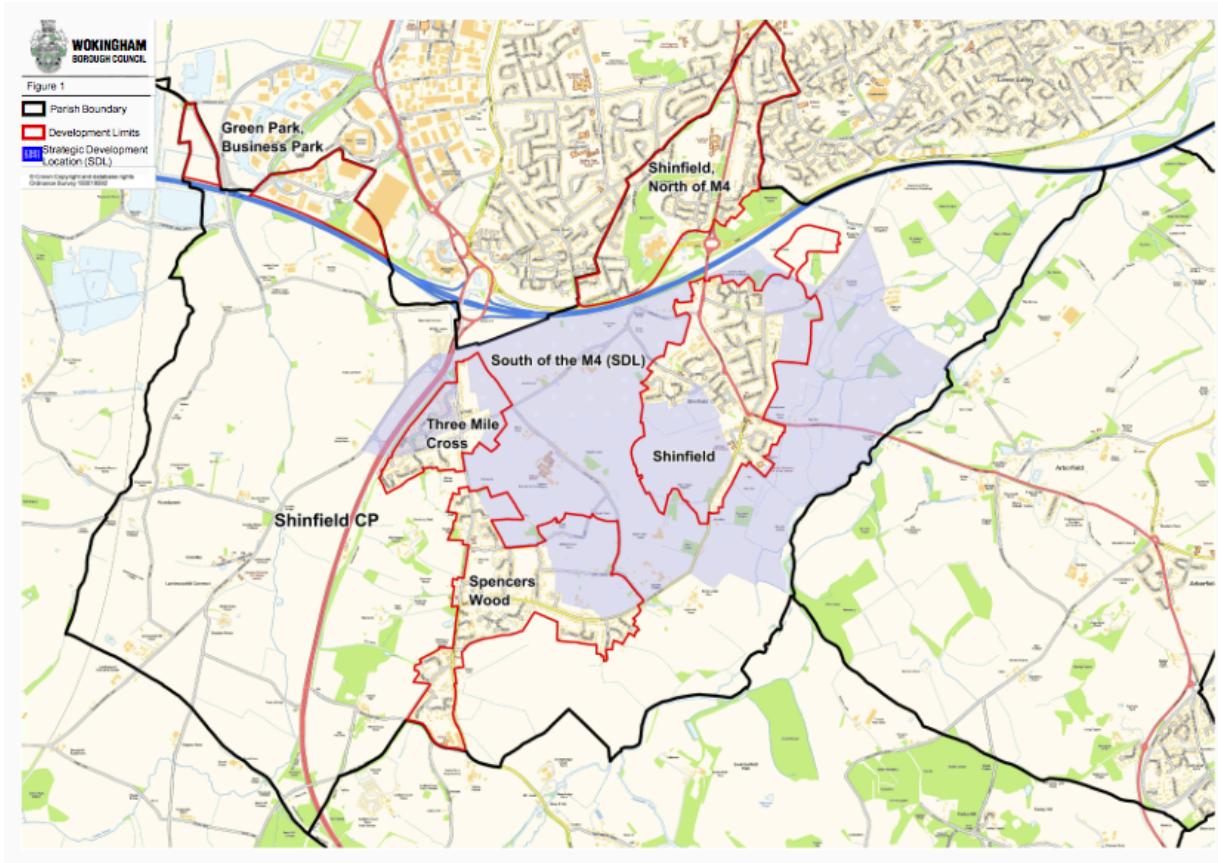
## Appendices

### Appendix 1: Figure 1

Figure 1 -Shinfield Neighbourhood Plan Context Map



## Appendix 2: Figure 2



## **Annexe**

It is not my role to recommend improvements to what is already a short plan with limited aims. However, it may assist those in taking the plan forward to have regard to the following suggestions:

1. The plan would benefit from illustrations, suitably annotated, to emphasise points in the text.
2. The appendices are voluminous and add little to the plan itself, in my view. They would have better formed part of the Basic Conditions Statement, as evidence. I suggest they should come out; though cross-referencing to sources, perhaps in footnotes, may be appropriate in places.
3. The title of the plan might be more concise, for example: The Shinfield Neighbourhood Plan.
4. Some text will become redundant once the plan is made and should come out.